

Lyndhurst, Ohio  
April 15, 2024

The Council of The City of Lyndhurst held its Regular Meeting on Monday, April 15, 2024 at 7:34 P.M., Vice Mayor Stephen C. Grushetsky, presiding.

Members Present: Council Representatives J. A. Marko, J. Price, J. A. Gambatese, L. A. Schlessel, D. A. Frey, C. A. LoPresti.

Others Present: P. A. Ward, Mayor;  
J. P. Luskin, Director of Law;  
R. J. Schmidlin, Assistant Director of Law;  
P. A. Rhode, Chief of Police;  
M. J. Carroll, Chief of Fire;  
J. Maichle, Building Commissioner;  
T. Fioritto, Director of Service;  
M. A. Kovalchik, Director of Finance;  
K. L. Miller, Assistant Clerk of Council.

\* Mr. Schlessel attended the meeting remotely via the Zoom Meeting Application.

It was moved by Mr. Price, seconded by Mr. Gambatese, that the reading of the minutes of the Regular Meeting of Council held Monday, April 1, 2024, copies of which were distributed to all Members, be dispensed with, and said minutes stand approved as circulated.

The question was put to a voice vote and passed with Mr. Frey abstaining.

**MAYOR'S REPORT** – Mayor Ward aired that the April issue of the Lyndhurst Life Magazine has been delivered and is filled with valuable information!

He announced that weekend rubbish has started for the season and mentioned the residents tell him how much they love this service.

Mayor Ward talked about the solar eclipse and stated that there is a recycling bin in the lobby of city hall for eclipse glasses; the recycled glasses will be sent to Astronomers without Borders in partnership with the Cuyahoga County Solid Waste District.

**FINANCE COMMITTEE** – Chairperson Grushetsky had nothing to report.

**PUBLIC LANDS & BUILDINGS COMMITTEE** – Mr. Frey had no report.

**ROADS & UTILITIES COMMITTEE** – Chairperson Price had no report.

**SERVICE & SEWERS COMMITTEE** – Chairperson Price had no report.

**SAFETY COMMITTEE** – Chairperson Gambatese had not report at this time.

**LEGISLATIVE COMMITTEE** – Chairperson Schlessel was not present, and no report was given.

**PLANNING COMMISSION** – Council member Schlessel was not present; therefore, no report was given.

**SOUTH EUCLID LYNDHURST BOARD OF EDUCATION** – It was not the first meeting on the month; therefore, a representative from the school board was not present to deliver a report.

The floor was opened for public comment, with none being heard.

**ORDINANCE NO. 2024-19  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE PARTIALLY SUSPENDING THE RULES AND REGULATIONS REGARDING THE POSSESSION AND CONSUMPTION OF BEER AND WINE AT THE LYNDHURST PARK DURING SCHEDULED 2024 SUMMER CONCERT EVENTS AND DECLARING AN EMERGENCY**

It was moved by Mr. Frey, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Ordinance No. 2024-19 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Rules Suspended.

Ordinance No. 2024-19 was highlighted by Ms. Miller, with section 3 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. LoPresti, that Ordinance No. 2024-19 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Ordinance No. 2024-19 is passed.

**ORDINANCE NO. 2024-20  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE RECOGNIZING THE CITY OF LYNDHURST AS A MEMBER OF THE COMMUNITY PARTNERSHIP ON AGING AUTHORIZING THE CONTINUED PARTICIPATION IN THE COUNCIL OF GOVERNMENTS AGREEMENT, AND DECLARING AN EMERGENCY**

It was moved by Mr. Price, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Ordinance No. 2024-20 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Rules Suspended.

Ordinance No. 2024-20 was highlighted by Ms. Miller, with section 5 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. Price, that Ordinance No. 2024-20 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Ordinance No. 2024-20 is passed.

**RESOLUTION NO. 2024-21  
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT ROAD  
SALT CONTRACTS AWARDED IN 2024 AND DECLARING AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2024-21 be placed on third reading for final adoption and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Rules Suspended.

Resolution No. 2024-21 was highlighted by Ms. Miller, with the emergency clause being read in its entirety.

It was moved by Mr. Price, seconded by Mr. LoPresti, that Resolution No. 2024-21 be adopted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Resolution No. 2024-21 is adopted.

**ORDINANCE NO. 2024-22  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE RATIFYING AND AUTHORIZING PARTICIPATION IN  
THE OHIO ASSOCIATION OF PUBLIC TREASURERS WORKERS  
COMPENSATION GROUP RETROSPECTIVE RATING PROGRAM,  
AUTHORIZING AN AGREEMENT WITH SEDGWICK AS PART OF  
PARTICIPATION IN SUCH PROGRAM, AND DECLARING AN EMERGENCY**

It was moved by Mr. Price, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Ordinance No. 2024-22 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Rules Suspended.

Ordinance No. 2024-22 was highlighted by Ms. Miller, with section 4 being read in its entirety.

It was moved by Mr. Gambatese, seconded by Mr. LoPresti, that Ordinance No. 2024-22 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Ordinance No. 2024-22 is passed.

**RESOLUTION NO. 2024-23  
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION RATIFYING AND ADOPTING THE COLLECTIVE  
BARGAINING AGREEMENT NEGOTIATED BETWEEN THE CITY OF  
LYNDHURST, OHIO AND THE LABORERS INTERNATIONAL  
UNION OF NORTH AMERICA LOCAL 860 (BUILDING DEPARTMENT),  
RATIFYING AND APPROVING THE EXECUTION OF SAID AGREEMENT BY  
THE MAYOR, AND DECLARING AN EMERGENCY**

It was moved by Mr. Price, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2024-23 be placed on third reading for final adoption and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Rules Suspended.

Resolution No. 2024-23 was highlighted by Ms. Miller, with section 4 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Resolution No. 2024-23 be adopted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Resolution No. 2024-23 is adopted.

**RESOLUTION NO. 2024-24  
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION RATIFYING AND ADOPTING THE COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BETWEEN THE CITY OF LYNDBURST, OHIO AND THE LABORERS INTERNATIONAL UNION OF NORTH AMERICA LOCAL 860 (FINANCE DEPARTMENT), RATIFYING AND APPROVING THE EXECUTION OF SAID AGREEMENT BY THE MAYOR, AND DECLARING AN EMERGENCY**

It was moved by Mr. Price, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2024-24 be placed on third reading for final adoption and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Rules Suspended.

Resolution No. 2024-24 was highlighted by Ms. Miller, with section 4 being read in its entirety.

It was moved by Mr. Gambatese, seconded by Mr. Price, that Resolution No. 2024-24 be adopted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Resolution No. 2024-24 is adopted.

**RESOLUTION NO. 2024-25  
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION RATIFYING AND ADOPTING THE COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BETWEEN THE CITY OF LYNDHURST, OHIO AND THE LABORERS' INTERNATIONAL UNION OF NORTH AMERICA LOCAL 860 (SERVICE DEPARTMENT), RATIFYING AND APPROVING THE EXECUTION OF SAID AGREEMENT BY THE MAYOR, AND DECLARING AN EMERGENCY**

It was moved by Mr. Price, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2024-25 be placed on third reading for final adoption and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Rules Suspended.

Resolution No. 2024-25 was highlighted by Ms. Miller, with section 4 being read in its entirety.

It was moved by Mr. LoPresti, seconded by Mr. Frey, that Resolution No. 2024-25 be adopted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Resolution No. 2024-25 is adopted.

**ORDINANCE NO. 2024-26  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING ORDINANCE NO. 2024-04 WHICH ESTABLISHED THE SALARY, COMPENSATION, AND HOURLY RATES OF PAY FOR BARGAINING EMPLOYEES IN THE VARIOUS OFFICES AND DEPARTMENTS, AND WHICH CONFIRMED LONGEVITY COMPENSATION, VACATIONS, HOLIDAYS AND OTHER BENEFITS, IN THE CITY OF LYNDHURST, OHIO, REPEALING CERTAIN SECTIONS OF ORDINANCE NO. 2024-04 INCONSISTENT HEREWITH, AND DECLARING AN EMERGENCY**

It was moved by Mr. Price, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Ordinance No. 2024-26 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Rules Suspended.

Ordinance No. 2024-26 was highlighted by Ms. Miller, with section 16 being read in its entirety.

It was moved by Mr. LoPresti, seconded by Mr. Gambatese, that Ordinance No. 2024-26 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Grushetsky.  
Nays: None

Motion carried.  
Ordinance No. 2024-26 is passed.

**Confirm decision of the Board of Zoning Appeals:**

Recommendation made to Council to confirm the decision of the Board in Case No. 2024-02 to grant requested variance to Vitomir Miling of 1225 Rae Road, for an area variance from the provisions of 1160.04 (a) (13) of the Planning and Zoning Code, to have a generator installed in the side yard of his residence, in lieu of the permitted placement of a permanent generator in any single-family residential district, provided that such generators are in a rear yard, located within the rear outside corners of the home, and not projecting into the minimum rear yard setback.

The findings in Case No. 2024-02 as recorded in the minutes of the meeting of the Board of Zoning Appeals held April 8, 2024 were read by Mrs. Miller.

It was moved by Mr. Gambatese, seconded by Mr. LoPresti, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2024-02 and grant the requested variance.

The question was put to a voice vote and passed unanimously.

It was moved by Mr. Marko, seconded by Mr. Price, that the meeting be adjourned.

The question was put to a voice vote and passed unanimously.

The meeting adjourned at 7:50P.M.

Approved: May 6, 2024

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Vice Mayor